

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

SALLY D. VILLAYERDE,

Plaintiff,

v.

ROMEO ARANAS, *et al.*,

Defendants.

Case No. 2:18-cv-00921-GMN-EJY

ORDER

Pending before the Court is Plaintiff's Motion for Appointment of Counsel, ECF No. 101, which was filed on April 1, 2022. No timely response to this Motion was filed. Thus, there is no opposition for the Court to consider.

Certain of Plaintiff's claims have survived summary judgment (*see* ECF No. 100), a joint pretrial order is due (*id.*), and trial is likely as prior efforts to resolve this matter were unsuccessful. Plaintiff's claims involve medical issues, including the loss of eyesight.

The appointment of counsel requires the Court to find extraordinary circumstances, which in turn requires the Court to consider the likelihood of Plaintiff's success on the merits of his case and his ability to articulate his claims in light of the complexities of the legal issues presented. *Ageyman v. Corrections Corp. of America*, 390 F.3d 1101, 1103 (9th Cir. 2004). The Court finds the circumstances of this case warrant appointment of counsel to assist Plaintiff with the preparation for and presentation of evidence at trial. The Court notes that to the extent the parties wish to continue the due date for a joint pretrial order until such time as pro bono counsel is appointed, they are encouraged to promptly submit a stipulation to this effect.

Accordingly, IT IS HEREBY ORDERED that Plaintiff's Motion for Appointment of Counsel, ECF No. 101, is GRANTED.

1 IT IS FURTHER ORDERED that this matter is referred to the Court's Pro Bono program
2 for appointment of counsel for purposes of preparing for and taking Plaintiff's case to trial.

3 DATED this 18th day of April, 2022.

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5 ELAYNA J. YOUCHAK
6 UNITED STATES MAGISTRATE JUDGE
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